

EXHIBIT 2

ClientCaseID: GARY BLACKMAN
Law Firm ID: LEVENFEL



CaseReturnDate: 12/5/07

Affidavit of Special Process Server

UNITED STATES DISTRICT COURT

Case Number 07CV6224

I, MICHAEL P. FEEHAN

FIRST DULY SWORN ON OATH STATES THAT I AM OVER 18 YEARS OF AGE AND NOT A PARTY TO THIS SUIT AND IS A REGISTERED EMPLOYEE OF ILLINOIS DEPARTMENT OF PROFESSIONAL REGULATION PRIVATE DETECTIVE AGENCY #117-001292 STERN, PROCESS & INVESTIGATION LLC 205 W. RANDOLPH ST. #1210 CHICAGO IL 60606

CORPORATE SERVICE

THAT I SERVED THE WITHIN SUMMONS AND COMPLAINT
ON THE WITHIN NAMED DEFENDANT HAWTHORNE ORLANDO CORPORATION
PERSON SERVED JENNY PONTRELLI (ADMIN)
BY LEAVING A COPY OF EACH WITH THE SAID DEFENDANT ON 11/9/07

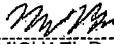
That the sex, race and approximate age of the person whom I left the SUMMONS AND COMPLAINT
are as follow:

Sex FEMALE Race WHITE Age 60
Height 5'4" Build MEDIUM Hair BLONDE

LOCATION OF SERVICE 101 BURR RIDGE PKWY #306
BURR RIDGE, IL, 60527

Date Of Service 11/9/07

Time of Service 10:00 AM


MICHAEL P. FEEHAN

11/15/2007

Special Process Server
P.E.R.C. #129-157466

Under penalties of perjury as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statement are true and correct, except as to matters therein stated to be on information and belief and such matters the undersigned certifies as aforesaid that he/she verily believes same to be true.



AO 440 (Rev. 05/00) Summons in a Civil Action

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

INDYMAC BANK, F.S.B.,
a Federal Savings Bank

Plaintiff,

V.

GANESAN VISVABHRATHY,
an individual, and HAWTHORNE ORLANDO
CORPORATION, a Florida corporation

Defendants

07CV6224
JUDGE GUZMAN
MAGISTRATE JUDGE BROWN

TO: (Name and address of Defendant)

Hawthorne Orlando Corporation
101 Burr Ridge Pkwy, Ste. 306
Burr Ridge, IL 60527

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Gary L. Blackman (ARDC #6187914)
James G. Martignon (ARDC #6277974)
Levenfeld Pearlstein, LLC
2 N. LaSalle St., Ste. 1300
Chicago, IL 60602

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

MICHAEL W. DOBBINS, CLERK

KRYSTEN COPPOLETTA

NOV 02 2007

(By) DEPUTY CLERK

DATE

EXHIBIT 3

RETURN OF SERVICE**UNITED STATES DISTRICT COURT
Northern District of**

Case Number: 07 C 6224

Plaintiff:

INDYMAC BANK, F.S.B., ET AL.,

vs.

Defendant:

GANESAN VISVABHRATHY, ET AL.,

For:

Gary Blackman

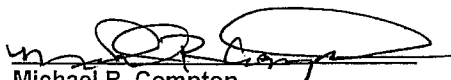
LEVENFELD PEARLSTIEN

Received by Process Service of America, Inc. on the 19th day of November, 2007 at 1:10 pm to be served on **HAWTHORNE ORLANDO CORPORATION C/O CORPORATION SERVICE COMPANY, 1201 HAYS STREET, TALLAHASSEE, FL 32301.**

I, Michael R. Compton, do hereby affirm that on the **19th day of November, 2007 at 2:15 pm, I:**

CORPORATE: served by delivering a true copy of the **Summons & Complaint** with the date and hour of service endorsed thereon by me, to: **GWEN BUTLER** as **OPERATIONS SPECIALIST** for **HAWTHORNE ORLANDO CORPORATION C/O CORPORATION SERVICE COMPANY**, at the address of: **1201 HAYS STREET, TALLAHASSEE, FL 32301**, and informed said person of the contents therein, in compliance with state statutes.

I certify that I am over the age of 18, have no interest in the above action, and am a Certified Process Server, in good standing, in the Second Judicial Circuit in which the process was served. Under penalty of perjury I declare I have read the foregoing documents and that the facts stated in it are true. Notary not required pursuant to FL Statute 92.525 Sec (2).



Michael R. Compton
Process Server # 99

Process Service of America, Inc.
P.O. Box 5848
Tallahassee, FL 32314-5848
(850) 877-9809

Our Job Serial Number: 2007106672

RUSH 12/6/05

AO 440 (Rev. 05/00) Summons in a Civil Action

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS

ALIAS

SUMMONS IN A CIVIL CASE

INDYMAC BANK, F.S.B.,
a Federal Savings Bank

Plaintiff

CASE NUMBER: 07 C 6224

V.

ASSIGNED JUDGE: Ronald Guzman

GANESAN VISVABHRATHY, an individual
and HAWTHORNE ORLANDO CORPORATION, a Florida
corporation

Defendants

DESIGNATED
MAGISTRATE JUDGE: Geraldine Soat Brown

TO: (Name and address of Defendant)

Hawthorne Orlando Corporation
c/o Corporation Service Company - Registered Agent
1201 Hays Street
Tallahassee, FL 32301-2525**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)Gary I. Blackman (ARDC #6187914)
James G. Martignon (ARDC #6277974)
Levenfeld Pearlstein, LLC
2 N. LaSalle St., Ste. 1300
Chicago, IL 60602

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

MICHAEL W. DOBBINS, CLERK

DAVID JOZWIAK

(By) DEPUTY CLERK

NOV 15 2007

DATE

ClientCaseID: GARY BLACKMAN

CaseID: 168799

Law Firm ID: LEVENFEL



CaseReturnDate: 12/6/07

Affidavit of Special Process Server

UNITED STATES DISTRICT COURT

Case Number 07C6224

I,

FIRST DULY SWORN ON OATH STATES THAT I AM OVER 18 YEARS OF AGE AND NOT A PARTY TO THIS SUIT.

THAT HE SERVED THE WITHIN **SUMMONS AND COMPLAINT**
ON THE WITHIN NAMED DEFENDANT **HAWTHORNE ORLANDO CORPORATION**

() PERSONAL SERVICE: IN THAT I PERSONALLY DELIVERED THE PROCESS TO THE DEFENDANT.

() ABODE/SUBSTITUTE SERVICE:

I SERVED A MEMBER OF HOUSEHOLD 13 YEARS OF AGE OR OLDER AT THE DEFENDANTS USUAL PLACE OF ABODE AND INFORMED THAT PERSON OF THE CONTENTS THEREOF AND FURTHER MAILED A COPY OF THE SUMMONS OR PROCESS IN A SEALED ENVELOPE WITH POSTAGE PREPAID TO THE DEFENDANT, AT HIS USUAL PLACE OF ABODE WITHIN TWO BUSINESS DAYS OF THE SERVICE.

~~+~~ CORPORATE SERVICE: IN THAT I SERVED THE DEFENDANT CORPORATION BY LEAVING
COPY OF THE PROCESS WITHIN THE PERSON LISTED BELOW

() UNABLE TO SERVE/NON SERVICE AFFIDAVIT: I WAS UNABLE TO SERVE THE DEFENDANT
LIST REASON HERE:

Date Of Service:

11/19/07

Time of Service:

2:15 PM

Date Of Mailing

PERSON SERVED

Gwen Butler, Operation Specialist

Age

Sex

Race

Height

Build

Hair

LOCATION OF SERVICE

1201 HAYS ST
TALLAHASSEE, FL, 32301

Under penalties of perjury as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statement are true and correct, except as to matters therein stated to be on information and belief and such matters the undersigned certifies as aforesaid that he/she verily believes same to be true.

AGENCY NAME: OUTSIDE AGENCY

ADDRESS:

CITY: Tallahassee

ST: FL

PHONE: 800-960-7762

ZIP

NAME OF SERVER:

DATE:

11/19/07

EXHIBIT 4

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

INDYMAC BANK, F.S.B)	
a Federal Savings Bank,)	
)	
Plaintiff,)	07 C 6224
)	
vs.)	Honorable Judge Ronald A. Guzman
)	
GANESAN VISVABHARATHY,)	
an individual and HAWTHORNE)	
ORLANDO CORPORATION, a Florida)	
corporation,)	
)	
Defendants)	

**ATTORNEY'S AFFIDAVIT OF DEFAULTED PARTY –
HAWTHORNE ORLANDO CORPORATION**

I, James G. Martignon, attorney for Plaintiff, Indymac Bank, F.S.B., hereby certify that the following specific facts are applicable to the above captioned proceeding and brought to the attention of the Court for the purpose of entering judgment against Defendant Hawthorne Orlando Corporation (“HOC”) hereunder:

1. The following are the dates the Court obtained jurisdiction over HOC by service of summons, publication or otherwise:

<u>Defendant</u>	<u>Jurisdiction Date</u>	<u>Method of Service</u>
Hawthorne Orlando Corporation	November 9, 2007	Corporate
	November 19, 2007	Registered Agent

2. The proofs of service of the foregoing Defendant HOC are attached hereto as Group Exhibit “1” and made a part hereof.

3. The only appearances and answers which were timely filed are as follows:

<u>Defendant</u>	<u>Date of Appearance</u>	<u>Date of Answer</u>
Hawthorne Orlando Corporation	None	None

4. A copy of the court docket dated February 14, 2008 showing no appearance or answers filed by Defendant HOC is hereto as Exhibit "A".

I, James G. Martignon, attorney at law and counsel for the Plaintiff, hereby certify to the best of my knowledge, the above to be true and correct as of February 14, 2008.

/s/ James G. Martignon

James G. Martignon

EXHIBIT

4(A)

BROWN

**United States District Court
Northern District of Illinois - CM/ECF LIVE, Ver 3.0 (Chicago)
CIVIL DOCKET FOR CASE #: 1:07-cv-06224**

Indymac Bank, F.S.B. v. Visvabharathy et al
Assigned to: Honorable Ronald A. Guzman
Demand: \$999,000
Cause: 28:1332 Diversity-Contract Dispute

Date Filed: 11/02/2007
Jury Demand: None
Nature of Suit: 190 Contract: Other
Jurisdiction: Diversity

Plaintiff

Indymac Bank, F.S.B.
a Federal Savings Bank

represented by **Gary Irwin Blackman**
Levenfeld Pearlstein
2 North LaSalle Street
13th Floor
Chicago, IL 60602
(312)346-8380
Email: gblackman@lplegal.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James G Martignon
Levenfeld Pearlstein, LLC
2 North LaSalle Street
Suite 1300
Chicago, IL 60602
(312)346-8380
Email: jmartignon@lplegal.com
ATTORNEY TO BE NOTICED

V.

Defendant

Ganesan Visvabharathy
an individual

represented by **Daniel A. Shmikler**
Sperling & Slater
55 West Monroe Street
Suite 3200
Chicago, IL 60603
(312)641-3200
Email: dshmikler@sperling-law.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bruce S. Sperling
Sperling & Slater
55 West Monroe Street
Suite 3200

Chicago, IL 60603
 (312)641-3200
 Email: bss@sperling-law.com
ATTORNEY TO BE NOTICED

Defendant

Hawthorne Orlando Corporation
a Florida Corporation

Date Filed	#	Docket Text
01/15/2008	<u>18</u>	MINUTE entry before Judge Ronald A. Guzman :Motion hearing held on 1/15/2008 regarding motion by Plaintiff Indymac Bank, F.S.B. for default judgment as to Visvabharathy and Hawthorne Orlando Corp. <u>13</u> . Motion is denied without prejudice as to Defendant Hawthorne Orlando Corp. Defendant Visvabharathy's response to motion for default to be filed on or before 2/14/08. Status hearing set for 1/30/08 is reset to 2/22/2008 at 09:30 AM. Mailed notice (cjb,) (Entered: 01/16/2008)
01/14/2008	<u>17</u>	ATTORNEY Appearance for Defendant Ganesan Visvabharathy by Bruce S. Sperling (Sperling, Bruce) (Entered: 01/14/2008)
01/14/2008	<u>16</u>	ATTORNEY Appearance for Defendant Ganesan Visvabharathy by Daniel A. Shmikler (Shmikler, Daniel) (Entered: 01/14/2008)
01/02/2008	<u>15</u>	MINUTE entry before Judge Ronald A. Guzman :Status hearing held on 1/2/2008. Status hearing set for 1/30/2008 at 09:30 AM.Mailed notice (cjb,) (Entered: 01/03/2008)
01/02/2008	<u>14</u>	NOTICE of Motion by James G Martignon for presentment of motion for default judgment <u>13</u> before Honorable Ronald A. Guzman on 1/15/2008 at 09:30 AM. (Martignon, James) (Entered: 01/02/2008)
01/02/2008	<u>13</u>	MOTION by Plaintiff Indymac Bank, F.S.B. for default judgment as to <i>Visvabharathy and Hawthorne Orlando Corp.</i> (Attachments: # <u>1</u> Exhibit) (Martignon, James) (Entered: 01/02/2008)
12/21/2007	<u>12</u>	MINUTE entry before Judge Ronald A. Guzman :Status hearing set for 1/2/2008 is reset to 1/2/08 at 02:00 PM. on Court's own motion. NOTE TIME CHANGE ONLY. Mailed notice (cjb,) (Entered: 12/21/2007)
12/04/2007	<u>11</u>	SUMMONS Returned Executed by Indymac Bank, F.S.B. as to Hawthorne Orlando Corporation on 11/9/2007, answer due 11/29/2007. (Blackman, Gary) (Entered: 12/04/2007)
11/28/2007	<u>10</u>	MINUTE entry before Judge Ronald A. Guzman :The Court orders the parties to appear for an initial status hearing. All parties shall refer to and comply with Judge Guzman's requirements for the initial appearance as outlined in Judge Guzman's case management procedures, which can be found at: www.ilnd.uscourts.gov.Status hearing set for 1/2/2008 at 09:30 AM.Mailed notice (cjb,) (Entered: 11/28/2007)

11/15/2007	<u>9</u>	ALIAS Summons Issued as to Hawthorne Orlando Corporation. (lcw,) (Entered: 11/16/2007)
11/05/2007	<u>8</u>	ALIAS Summons Issued as to Hawthorne Orlando Corporation. (kw,) (Entered: 11/06/2007)
11/02/2007	<u>7</u>	SUMMONS Issued as to Defendants Ganesan Visvabharathy (2 different addresses), Hawthorne Orlando Corporation. (kw,) (Entered: 11/06/2007)
11/02/2007	<u>5</u>	DISCLOSURE STATEMENT by Indymac Bank, F.S.B. pursuant to Rule 7.1 and Local Rule 3.2 (kw,) (Entered: 11/06/2007)
11/02/2007	<u>4</u>	ATTORNEY Appearance for Plaintiff by James G. Martignon. (kw,) (Entered: 11/06/2007)
11/02/2007	<u>3</u>	ATTORNEY Appearance for Plaintiff by Gary I. Blackman. (kw,) (Entered: 11/06/2007)
11/02/2007	<u>2</u>	CIVIL Cover Sheet. (kw,) (Entered: 11/06/2007)
11/02/2007	<u>1</u>	COMPLAINT filed by Indymac Bank, F.S.B. (Exhibits); Filing fee \$350. (kw,) (Entered: 11/06/2007)

PACER Service Center			
Transaction Receipt			
02/14/2008 09:55:33			
PACER Login:	lp0214	Client Code:	31849-73191
Description:	Docket Report	Search Criteria:	1:07-cv-06224
Billable Pages:	2	Cost:	0.16